

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

NAOMI J. FULTON

PLAINTIFF

V.

Cause No. 1:17-cv-70-GHD-DAS

MISSISSIPPI STATE UNIVERSITY;
DR. PAULA THREADGILL; DR. LINDA
MITCHELL; JULIE RESTER; BRETT HARVEY;
and JAMES RANDALL NEVINS

DEFENDANTS

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS'
SEPARATE MOTIONS TO DISMISS**

Pursuant to an opinion issued this day, it is hereby ORDERED that:


The Defendant Mississippi State University's motion to dismiss [**Doc. No. 6**] is GRANTED IN PART and DENIED IN PART. The portion of the motion seeking to dismiss the Plaintiff's Title VII claims for race discrimination and sex discrimination (Counts I and III of the Complaint) is GRANTED and those claims are DISMISSED; the portion of the motion seeking to dismiss the Plaintiff's claims under Section 1983 (Count IV) is GRANTED and those claims are DISMISSED; the Defendant MSU's motion is DENIED as to the Plaintiff's claim for retaliation under Title VII (Count II) and that claim shall PROCEED.

The Individual Defendants' motions to dismiss [**Doc. Nos. 4, 22**] are GRANTED, and the Plaintiff's claims against the Individual Defendants – Dr. Paula Threadgill, Dr. Linda Mitchell, Julie Rester, Brett Harvey, and James Randall Nevins – are DISMISSED and these Defendants are DISMISSED from this matter. The sole claim going forward is the Plaintiff's Title VII retaliation claim against Mississippi State University (Count II of the Complaint).

All memoranda and other materials considered by the Court in ruling on this motion are

hereby incorporated into and made a part of the record in this action.

THIS, the 24th day of January, 2018.



SENIOR U.S. DISTRICT JUDGE